

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT CHATTANOOGA

| | | |
|--------------------------|---|----------------------|
| UNITED STATES OF AMERICA |) | |
| |) | Case No. 1:09-CR-102 |
| vs. |) | |
| |) | |
| ZAHRA MOSAYEBI |) | JUDGE MATTICE |

MEMORANDUM AND ORDER

The defendant appeared for a hearing before the undersigned on August 6, 2010, in accordance with Rule 32.1 of the Federal Rules of Criminal Procedure on the Petition for Warrant for Offender Under Supervision of U.S. Probation Officer Joey Byars and the Warrant for Arrest issued by U.S. District Judge Harry S. Mattice, Jr. Those present for the hearing included:

- (1) AUSA Scott Winne for the USA.
- (2) The defendant ZAHRA MOSAYEBI.
- (3) Attorney Tony Martinez for defendant.
- (4) Deputy Clerk Kelli Jones.

After being sworn in due form of law the defendant was informed or reminded of her privilege against self-incrimination accorded her under the 5th Amendment to the United States Constitution.

It was determined the defendant wished to be represented by an attorney and she qualified for the appointment of an attorney to represent her at government expense. Attorney Tony Martinez of Federal Defender Services was appointed to represent the defendant. It was determined the defendant had been provided with a copy of the Petition for Warrant for Offender Under Supervision and the Warrant for Arrest and had the opportunity of reviewing those documents with Atty. Martinez . It was also determined the defendant was capable of being able to read and understand the copy of the aforesaid documents she had been provided.

Defendant waived his right to a preliminary hearing and detention hearing.

AUSA Winne moved defendant be detained without bail pending his revocation hearing before U.S. District Judge Harry S. Mattice, Jr.

Findings

- (1) Based upon U.S. Probation Officer Joey Byars' petition and defendant's waiver of preliminary hearing and detention hearing, the undersigned finds there is probable

cause to believe defendant has committed violations of his conditions of supervised release as alleged in the petition.

Conclusions

It is ORDERED:

(1) The defendant shall be appear in a revocation hearing before U.S. District Judge Harry S. Mattice, Jr.

(2) The motion of AUSA Winne that defendant be DETAINED WITHOUT BAIL pending his revocation hearing before Judge Mattice is GRANTED.

(3) The U.S. Marshal shall transport defendant to a revocation hearing before Judge Mattice on **Monday, August 9, 2010, at 9:00 am.**

ENTER.

s/William B. Mitchell Carter
UNITED STATES MAGISTRATE JUDGE